

**FISHER & PHILLIPS LLP**  
430 Mountain Avenue  
Murray Hill, New Jersey 07974  
(908) 516-1050  
Attorneys for Defendant  
Attorney of Record: Kathleen McLeod Caminiti

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ROBERT S. CONRAD, SR.,

Plaintiff,

vs.

THE WACHOVIA GROUP LONG-  
TERM DISABILITY PLAN,

Defendant.

Civil Action No. 1:08-cv-05416-RMB-AMD

**SUPPLEMENTAL CERTIFICATION OF  
PAULA MCGEE IN FURTHER  
SUPPORT OF DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT**

I, Paula McGee, of full age, do hereby certify as follows:

1. I am the Litigation Manager for Liberty Life Assurance Company of Boston ("Liberty"). I make this Certification based upon the records contained in the claim files maintained by Liberty in the ordinary course of business with respect to Robert S. Conrad Sr. ("Conrad"). As such, I am familiar with the facts in this case.
2. No other claim for disability benefits was filed by Mr. Conrad between the time his 2003 Short-Term Disability ("STD") claim (No. 1201957) was denied on January 19, 2004, and his 2004 STD claim (No. 1248676) was approved effective August 3, 2004.

3. There is no record anywhere in Mr. Conrad's claim files to indicate that he ever submitted any medical information or documentation to Liberty between the time his 2003 STD claim (No. 1201957) was denied on January 19, 2004, and his 2004 STD claim (No. 1248676) was approved effective August 3, 2004.

4. There is no record anywhere in Mr. Conrad's claim files to indicate that he ever communicated with Liberty in any way with regard to his health issues or any absences from work because of health issues between the time his 2003 STD claim (No. 1201957) was denied on January 19, 2004, and his 2004 STD claim (No. 1248676) was approved effective August 3, 2004.

5. Attached hereto as Exhibit A is a true and correct copy of the Liberty Claims File Notes for Mr. Conrad's 2004 STD Claim No. 1248676, bearing Bates numbers Liberty/Conrad 57-71.

Pursuant to 28 U.S.C. §1746, I certify under penalty of perjury that the foregoing is true and correct.



---

Paul McGee

Dated: October 19, 2010

# **EXHIBIT A**

## Note Report

Report Clear Print Help

Add Note Appeal Claim Correspondence Leave Life Claim Lve Addtl Info Lve Correspondence Lve Program Lve Work Sched Medical Medical History

Note Task Print Task Rpt Tasks

## Claim

\* Claim Number/Leave ID: 1248676

Note type:

## Primary Sort Order

Note Type  
 Note Number  
 Note Date/Time

## Secondary Sort Order

Note Type  
 Note Number  
 Note Date/Time

## Report Options

Save it to Disk  
 Display Online

## 02/01/2005 7:14 AM - CLAIM Note 27

Claim/Leave: 1248676

NoteSubject : Closed

Other Subject : MAX DURATION TO LTD

Text: [02/01/2005 - WELSH, DENISE]CLAIM PREVIOUSLY EXTENDED TO MAX DURATION. CLAIM CLOSED  
W/APPROVAL OF LTD. COMMUNICATIONS RECORDED UNDER LTD CLAIM

## 01/25/2005 9:36 AM - CLAIM Note 26

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : ADD DD

Text: [01/25/2005 - PURINGTON, DENISE]ADDED ACCOUNT #5331848 AND ROUTING #031201360

## 01/13/2005 3:15 PM - PHONE Note 27

Claim/Leave: 1248676

NoteSubject : Called ER

Other Subject :

Text: [01/13/2005 - WELSH, DENISE]CALLED ER/STAFFING COORDINATOR TAWANNA JOHNSON 804-868-1261  
TO ADVISE OF RECEIPT OF DR LETTER REQUESTING A PARTIAL RTW. ADVISED WE DO NOT HAVE MGR  
CONTACT INFO ON FILE FOR TEL AND WOULD LIKE TO DISCUSS. LEFT VM W/TEL INFO FOR RTC

## 01/13/2005 3:08 PM - CLAIM Note 25

Claim/Leave: 1248676

NoteSubject : Med Records Rcvd

Other Subject : SANDERS

Text: [01/13/2005 - WELSH, DENISE]REC'D LETTER DATED 1/10 INDICATING DR/CLMT WOULD LIKE CLMT TO  
EXPERIENCE A PARTIAL RTW AND BEGIN WORKING ON A LESS THAN FULLTIME BASIS

## 01/11/2005 8:47 AM - CLAIM Note 24

Claim/Leave: 1248676

NoteSubject : LTR to ER

Other Subject : SALARY VERIFICATION

Text: [01/11/2005 - WELSH, DENISE]E-MAIL SENT TO ER/MIZE TO VERIFY PRE-DIS EARNINGS.[01/11/2005 -  
WELSH, DENISE]ER MIZE CONFIRMED CLMT IS 100 PERCENT COMMISSIONED AND BEC AS OF 8/3/04 IS  
\$63,931.86

## 01/11/2005 8:07 AM - CLAIM Note 23

Claim/Leave: 1248676

NoteSubject : LTR to EE

Other Subject : TRANSITION

Text: [01/11/2005 - WELSH, DENISE]TRANSITION LETTER SENT W/WIB WORDING INCLUDED AS CLMT MAY BE  
ABLE TO RTW ON A PARTIAL BASIS. FORMS SENT INCLUDING AQ - AUTH - CIF - DD - TAX - TEE - SS REIMB - SS  
AUTH

## 01/10/2005 9:46 AM - CLAIM Note 22

Claim/Leave: 1248676

NoteSubject : Escalation

Other Subject : ASSIGNED

Text: [01/10/2005 - YOST, WILLIAM]AGREE WITH ESCALATING CLAIM AT THIS TIME. CLAIM IS ASSIGNED TO  
DENISE WELSH TO MANAGE. SUGGEST OBTAINING UPDATED NOTES FROM DR. SANDERS AFTER THE EE'S  
N.O.V. AS WELL AS THE P.C.P.. EE IS PLANNING ON RTW, PARTIALLY, AFTER HIS N.O.V. HOWEVER, THIS IS  
DEPENDENT UPON WHETHER OR NOT THE ER CAN ACCOMODATE. RESTRICTIONS WILL BE KNOWN AFTER

Liberty/Conrad 57

HIS N.O.V..

**01/07/2005 3:20 PM - CLAIM Note 21**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : MGR REVIEW

Text: [01/07/2005 - HARMON, MARGRET]AGREE WITH ESC TO SEVERE DCM AS IT IS UNKNOW WHEN CLMT. WILL BE RTW ON A FULL OR PARTIAL BASIS.

**01/07/2005 2:14 PM - PHONE Note 26**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [01/07/2005 - BORNER, JANICE]1:53-S/W CLMT-EXPLND HAVE EXTENDED THRU END OF STD BENEFITS OF 1/31/05 BUT NEEDED TO KNOW WHEN CLMT WAS PLANNING TO RTW PART TIME. CLMT STATED HE SEES DR. SANDERS ON 1/11 AND PLANS TO GET A LETTER THEN AND WILL ALSO SEE PCP ON 1/10. CLMT STATED HE WILL THEN GIVE IT TO ER ON 1/11 TO SEE WHAT KIND OF ACCOMMODATIONS THEY CAN PROVIDE CLMT. CLMT STATED HE ALSO FOUND SOME ON HIS PREVIOUS PAPERWORK OF S/W HR ON 12/28 AND ADVSD TO SEND A LETTER FOR HIS BBR. CLMT RCV'D A BOOK-LIKE A PHONE BOOK AND WAS ADVSD TO READ THRU IT AND FAMILIARIZE HIMSELF W/HIS BENEFITS. CLMT STATED HE UNDERSTANDS I DONT HANDLE THIS BUT JUST WANTED TO LET ME KNOW. I EXPLND TO CLMT THAT I WILL NO LONGER BE HANDLING HIS CLM AND ONCE HE RTW PART TIME THEN HE WILL NO LONGER BE ELIGIBLE FOR STAT BENEFITS. CLMT STATED THAT IS OK B/C HE HAST GOTTEN PAID BY THE STATE AT ALL AND DOESNT PAY INTO THOSE BENEFITS B/C HE IS ON COMMISSION. CLMT ASKED WHAT HAPPENS IF HE EARNS A MONTH'S SALARY IN A WK ONCE HE RTW- WILL HE BE ELIGIBEL FOR LTD? I STATED THE NEW DCM WILL BE ABLE TO PROVIDE THAT INFO AS I DONT WANT TO MISADVISE CLMT. CLMT UNDERSTOOD AND APPRECIATED ALL I HAVE DONE DURING THE CLM.

**01/07/2005 1:41 PM - PHONE Note 25**

Claim/Leave: 1248676

NoteSubject : Called AP

Other Subject : SANDERS

Text: [01/07/2005 - BORNER, JANICE]1:35-S/W DR. SANDERS-HE CONFIRMED HE WILL BE PROVIDING A LETTER FOR CLMT TO START RTW PART TIME.

**01/07/2005 1:41 PM - CLAIM Note 20**

Claim/Leave: 1248676

NoteSubject : Escalation

Other Subject : TO SEVERE

Text: [01/07/2005 - BORNER, JANICE]CLMT TREATING FOR NUMEROUS CONDITIONS-SLEEP APNEA/CHRONIC FATIGUE/DEPRESSION/NOW DISCUSSING POSSIBLE GASTRIC BYPASS. CLM REVIEWED BY MDS AND DR REVIEW. CLMT IS PLANNING TO RTW PART TIME.

**01/07/2005 1:39 PM - CLAIM Note 19**

Claim/Leave: 1248676

NoteSubject : Extended Benefits

Other Subject :

Text: [01/07/2005 - BORNER, JANICE]MDS/DR COMPLETED REVIEW AND CLM EXTENDED THRU STD MAX OF 1/31/05. CLMT IS PLANNING TO RTW PART TIME.

**01/06/2005 3:15 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584458

Service Date: 01/06/2005

Activity: SUMMARY, FINAL CASE SUMMARY

Contact Information: NO CONTACT ,

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL REMOVE FROM ASSIGNMENT.

**01/06/2005 3:15 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584458

Service Date: 01/06/2005

Activity: SUMMARY, FINAL CASE SUMMARY

Contact Information: NO CONTACT ..

**Liberty/Conrad 58**

Note Type: INFORMATION OBTAINED DESC

Text: NCM PREVIOUSLY REVIEWED FILE, CONTACTED PROVIDER AND SET UP LM CP REVIEW. NCM ASSISTED IN SETTING A FILE DIRECTION/PLAN WITH POSSIBLE RTW.

**01/06/2005 3:13 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584456

Service Date: 01/06/2005

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: ACTION PLAN DESCRIPTION

Text: FURTHER NCM INTERVENTION NOT INDICATED. NCM WILL REMOVE FROM ASSIGNMENT.

**01/06/2005 3:13 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584456

Service Date: 01/06/2005

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: ASSESSMENT DESCRIPTION

Text: CLMT VERBALIZED TO DCM A DESIRE TO RTW ON A PART TIME BASIS. DCM MIGHT WANT TO PROCEED WITH CONTACT WITH PROVIDERS RE: PART TIME RTW DESIRE AND PLANS FOR CLMT. FILE MIGHT BENEFIT FROM MEDICAL FROM DR. SANDERS [PSYCHOLOGY]. INDEPENDENT TESTING IS NOT INDICATED UNLESS CLMT DOES NOT RTW.

**01/06/2005 3:13 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584456

Service Date: 01/06/2005

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: INFORMATION OBTAINED DESC

Text: NCM MET WITH DCM TO DISCUSS FILE.

**01/06/2005 10:55 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584246

Service Date: 01/06/2005

Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW

Contact Information: NO CONTACT, ,

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL DISCUSS WITH DCM.

**01/06/2005 10:54 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14584246

Service Date: 01/06/2005

Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW

Contact Information: NO CONTACT, ,

Note Type: INFORMATION OBTAINED DESC

Text: NCM REVIEWED DR. MISZKIEWICZ REPORT

**01/06/2005 10:36 AM - PHONE Note 24**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 1/3/05

Text: [01/06/2005 - BORNER, JANICE]2:25-C/C-WANTED TO GIVE ME AN UPDATE. CLMT STATED HE IS SEEING DR. SANDERS WKLY AND SEES PCP EVERY OTHER WK. CLMT HAS DISCUSSED RTW PART TIME BUT NEEDS

**Liberty/Conrad 59**

TO GET LETTERS FROM DRS.CLMT STATED THEY ARE DISCUSSING POSSIBLE GASTRICBYPASS AFTER JANUARY BUT CLMT WILL TRY TO LOSE WEIGHT FIRST.I STATED I DONT THINK THEY WOULD BE ABLE TO SURGERY NOW ANYWAYS B/C NORMALLY CLMT WOULD HAVE TO UNDERGO ALOT OF TESTING PRIOR ANYWAYS.CLMT AGREED.CLMT STATED HE HAS THE SAME SYMPTOMS AND FATIGUE.CLMT STATED HE WILL CONTACT ER TO SEE IF THEY CAN PROVIDE ACCOMMODATIONS AND POSSIBLE HOMWORK FOR PART TIME RTW.CLMT ASKED HOW HOLIDAYS WERE?I STATED FINE AND ASKED CLMT HOW HIS WERE?CLMT STATED HE ENJOYED WATCHING HIS KIDS ENJOY THE HOLIDAYS.HIS KIDS ARE 23/16/13/9 YO.CLMT WILL CALL W/ANOTHER UPDATE.

**12/21/2004 12:47 PM - PHONE Note 23**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 12/17

Text: [12/21/2004 - BORNER, JANICE]3:47-C/C-STATED HE DISCUSSED STARTING TO WORK 2HRS PER DAY FOR 3 DAYS A WK.CLMT SEES THE DRS ON 12/20 AND 12/22.CLMT STATED DR.SANDERS IS STILL LEANING TOWARDS THE DIAGNOSIS OF CFS.CLMT WILL CALL W/AN UPDATE.

**12/14/2004 12:20 PM - PHONE Note 22**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 12/10

Text: [12/14/2004 - BORNER, JANICE]3:52-C/C-WANTED TO GIVE UPDATE.IS NOT DOING MUCH BETTER.HE S/W HIS OFFICE MGR AND TOLD THEM HE FEELS OK IN THE MORNING BUT THEN FATIGUE SETS IN IN THE AFTERNOON.CLMT WANTED TO KNOW ABOUT PARTIAL DIS.CLMT STATED HE WAS THINKING OF SELLING HIS BOOKS UNDER THE SUNSET PROVISION.I STATED I HAVE NO IDEA WHAT THAT IS ABOUT.I ADVSD CLMT THAT NCM IS STILL REVIEWING CLM.I EXPLND IF MED INFO CONTINUES TO SUPPORT THEN WE WOULD NEED ADDTL INFO TO SUPPORT PARTIAL DIS.I EXPLND IF CLMT RTW PART TIME THEN WE WOULD NEED HRS WORKED/PAYSTUBS TO CONFIRM CLMT IS NOT EARNING MORE THAN 80% OF HIS SALARY OTHERWISE CLMT WOULD NO LONGER BE ELIGIBLE FOR STD BENEFITS.I STATED IT IS A GOOD IDEA FOR CLMT TO GET BACK INTO THE WORK FORCE AND BUILD UP HIS STAMINA.CLMT WILL CONTINUE TO PROVIDE UPDATES.

**12/07/2004 11:02 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14573317

Service Date: 12/07/2004

Activity: COORD SERVICES, LM CONSULTING PHYSICIAN

Contact Information: LM CONSULTING PHYSICIAN, STEVE, MSZKIEWICZ

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL FU ON REVIEW.

**12/07/2004 11:02 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14573317

Service Date: 12/07/2004

Activity: COORD SERVICES, LM CONSULTING PHYSICIAN

Contact Information: LM CONSULTING PHYSICIAN, STEVE, MSZKIEWICZ

Note Type: INFORMATION OBTAINED DESC

Text: FILE ASSIGNED TO DR. MISZKIEWICZ. FILE PLACED IN HIS BOX.

**12/07/2004 3:45 AM - CLAIM Note 18**

Claim/Leave: 1248676

NoteSubject : Ref to Other

Other Subject : SCORE REFERRAL

Text: 12/6/2004 - REFERRED TO CONSULTING PHYSICIAN FOR COMPLETE REVIEW.

**12/06/2004 2:22 PM - CLAIM Note 17**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : MGR REVIEW

Text: [12/06/2004 - HARMON, MARGRET]ESC DELAYED TO TO FILE BEING FORWARDED FOR PHYSICIAN REVIEW.

**12/06/2004 9:22 AM - MDS Note**

Claim/Leave: 1248676

**Liberty/Conrad 60**

Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14572750

Service Date: 12/06/2004  
Activity: COORD SERVICES, LM CONSULTING PHYSICIAN  
Contact Information: LM CONSULTING PHYSICIAN, STEVE, MSZKIEWICZ  
Note Type: ACTION PLAN DESCRIPTION  
Text: NCM WILL FU ON FILE.

12/06/2004 9:22 AM - MDS Note

Claim/Leave: 1248676  
Episode #: 2

Nurse Name: REINER, PATRICI  
Service #: 14572750  
Service Date: 12/06/2004  
Activity: COORD SERVICES, LM CONSULTING PHYSICIAN  
Contact Information: LM CONSULTING PHYSICIAN, STEVE, MSZKIEWICZ  
Note Type: INFORMATION OBTAINED DESC  
Text: NCM REFERRED FILE TO DR. MISZKIEWICZ FOR REVIEW. PRIORITY II ASSIGNED PER MANAGER I.

12/06/2004 9:17 AM - CLAIM Note 16

Claim/Leave: 1248676  
NoteSubject : Extended Benefits  
Other Subject :  
Text: [12/06/2004 - BORNER, JANICE]DISCUSSED CLM W/MDS-WILL REFER TO DR FOR ADDTL REVIEW.CLM EXTENDED THRU 12/17 PENDING REVIEW.

12/06/2004 9:09 AM - MDS Note

Claim/Leave: 1248676

Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14572701  
Service Date: 12/06/2004  
Activity: INPERSON CONTCT, CLAIMS  
Contact Information: CLAIMS, JANICE, BORNER  
Note Type: ACTION PLAN DESCRIPTION  
Text: NCM WILL REFER FILE TO DR. STEVE.

12/06/2004 9:09 AM - MDS Note

Claim/Leave: 1248676

Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14572701  
Service Date: 12/06/2004  
Activity: INPERSON CONTCT, CLAIMS  
Contact Information: CLAIMS, JANICE, BORNER  
Note Type: ASSESSMENT DESCRIPTION  
Text: FILE MIGHT BENEFIT FROM CP REVIEW TO ASSESS PHYSICAL IMPAIRMENT FROM SLEEP APNEA. THERE IS NO DOCUMENTATED TESTING TO CONFIRM COGNITIVE, MEMORY OR CONCENTRATION PROBLEMS.

12/06/2004 9:09 AM - MDS Note

Claim/Leave: 1248676

Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14572701  
Service Date: 12/06/2004  
Activity: INPERSON CONTCT, CLAIMS  
Contact Information: CLAIMS, JANICE, BORNER  
Note Type: INFORMATION OBTAINED DESC  
Text: NCM MET WITH DCM TO DISCUSS FILE.

12/03/2004 3:43 PM - MDS Note

Claim/Leave: 1248676

Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14571895  
Service Date: 12/03/2004  
Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW

Liberty/Conrad 61

Contact Information: NO CONTACT,,  
 Note Type: ACTION PLAN DESCRIPTION  
 Text: NCM WILL DISCUSS FILE WITH DCM.

**12/03/2004 3:43 PM - MDS Note**

Claim/Leave: 1248676  
 Episode #: 2  
 Nurse Name: REINER, PATRICI  
 Service #: 14571895  
 Service Date: 12/03/2004  
 Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
 Contact Information: NO CONTACT,,  
 Note Type: ASSESSMENT DESCRIPTION  
 Text: IF CLMT'S DEPRESSION IMPAIRS HIM, THEN PSYCH INTERVENTION IS APPROPRIATE.

**12/03/2004 3:43 PM - MDS Note**

Claim/Leave: 1248676  
 Episode #: 2  
 Nurse Name: REINER, PATRICI  
 Service #: 14571895  
 Service Date: 12/03/2004  
 Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
 Contact Information: NO CONTACT,,  
 Note Type: INFORMATION OBTAINED DESC  
 Text: NCM REVIEWED DR. MORLEY'S RESPONSE. HE STATED CLMT HAS INABILITY TO CONCENTRATE AND POOR MEMORY DESPITE CPAP AND PROVIGIL. DR. MORLEY INDICATED CLMT'S FATIGUE IS FROM PARTIALLY TREATED SLEEP APNEA AND DEPRESSION. THE DEPRESSION IS A MAJOR CONTRIBUTING FACTOR; HOWEVER THE EXTENT THIS CONTRIBUTES TO CLMT'S FATIGUE SHOULD BE EVALUATED BY PCP.

**11/23/2004 3:32 PM - MDS Note**

Claim/Leave: 1248676  
 Episode #: 2  
 Nurse Name: REINER, PATRICI  
 Service #: 14568474  
 Service Date: 11/23/2004  
 Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
 Contact Information: NO CONTACT,,  
 Note Type: ACTION PLAN DESCRIPTION  
 Text: NCM SENT SECOND REQUEST LETTER TO DR. MORLEY. NCM WILL FU ON LETTER. NCM UPDATED DCM.

**11/23/2004 3:32 PM - MDS Note**

Claim/Leave: 1248676  
 Episode #: 2  
 Nurse Name: REINER, PATRICI  
 Service #: 14568474  
 Service Date: 11/23/2004  
 Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
 Contact Information: NO CONTACT,,  
 Note Type: ASSESSMENT DESCRIPTION  
 Text: FILE DOES NOT HAVE FINDINGS CONSISTENT WITH CONTINUED IMPAIRMENT. THERE IS NO DIRECT OBSERVATION OF CLMT'S SLEEPINESS. IT IS REASONABLE FOR CLMT TO HAVE IMPROVED SYMPTOMS RELATED TO FATIGUE WITH CONTINUED USE OF CPAP.

**11/23/2004 3:32 PM - MDS Note**

Claim/Leave: 1248676  
 Episode #: 2  
 Nurse Name: REINER, PATRICI  
 Service #: 14568474  
 Service Date: 11/23/2004  
 Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
 Contact Information: NO CONTACT,,  
 Note Type: INFORMATION OBTAINED DESC

**Liberty/Conrad 62**

Text: NCM REVIEWED RESTRICTIONS FORM FROM DR. PETRUNCIO DATED 11/19/04, OV NOTES FROM DR. PETRUNCIO DATED 10/1/04-11/15/04, LABS FROM 10/12/04, FMSE FROM DR. SANDERS [PHD] DATED 11/17/04, AND LETTERS FROM DR. MORLEY DATED 9/16/04-10/10/04. CLMT HAD A SPLIT POLYSOMNOGRAM WITH GOOD RESULTS AFTER PLACED ON 9 OF CPAP. DR. SANDERS INDICATES CLMT IS NORMALLY GROOMED, NORMAL MEMORY, ALERT, ATTENTION GOOD, APPROPRIATE AFFECT, MODERATELY DEPRESSED AFFECT, GAF 48, NO COGNITIVE OR JUDGEMENT PROBLEMS, AND NO SI/HI THOUGHTS. CLMT RETAINS FUNCTIONAL ABILITY WITH

EXCEPTION OF DURABILITY AND STAYING POWER. DR. PETUNCIO INDICATED CLMT HAS CFS, ANXIETY AND DEPRESSION, AND UNCONTROLLED BP. LAST BP WAS 142/92. CLMT HAD ELEVATED LIPID PANEL, NEGATIVE LYMES AND NORMAL THYROID FUNCTIONS.

**11/22/2004 2:06 PM - PHONE Note 21**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 11/19

Text: [11/22/2004 - BORNER, JANICE]3:18-C/C-STATED HE IS AT PCP'S OFFICE AND ASKED IF I COULD FAX REQ AGAIN WHILE HE IS THERE AT 856-262-0428?I STATED I WOULD.

**11/17/2004 3:45 PM - PHONE Note 20**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject : EXTEND

Text: [11/17/2004 - BORNER, JANICE]3:21-S/W CLMT-EXPLND I DISCUSSED HIS CLM W/MY MGR AND WILL EXTEND THRU 11/19.I STATED I HAVE REQ'D MED INFO FROM 2 ADDTL DRS AND UNDERSTAND THAT THEY ARE WORKING ON PROVIDING MED INFO.I STATED IF MED INFO IS NOT RCVD BY 11/24 THEN WILL HAVE TO CLOSE CLM.I STATED I AM TRYING TO HELP CLMT AND GIVE HIM THE BENEFIT OF THE DOUBT ESPECIALLY SINCE I JUST REQ'D MED INFO TODAY FROM 2 NEW DRS.CLMT UNDERSTOOD AND APPRECIATED THE HELP.

**11/17/2004 3:35 PM - PHONE Note 19**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [11/17/2004 - BORNER, JANICE]1:38-C/C-WANTED TO LET ME KNOW THAT HE CALLED DR.MORLEY'S OFFICE AND S/W NICOLE.CLMT WAS TOLD THAT DR HAS BEEN OUT OF TOWN.NICOLE WILL TRY TO FAX REQ TO DR AT OTHER OFFICE BUT CANT GET INFO TO US UNTIL TUESDAY.I STATED OUR NCM HAS BEEN TRYING TO CONTACT DR SINCE END OF 10/04-BEGINNING OF 11/04.I STATED I UNDERSTAND THAT DR IS BUSY BUT WE NEED ADDTL INFO.I ASKED CLMT HOW APPT W/DR.SANDERS WENT?CLMT STATED HE IS DEPRESSED AND IT WILL TAKE SEVERAL WKS/OVS TO FIGURE OUTWHY.CLMT STATED HE DOES FEEL BAD/LOUSY AND WANTS TO RTW BUT CANT RIGHT NOW B/C CANT DO WHAT HE USED TO.I ASKED CLMT IF HE HAS CONSIDERED ANOTHER JOB?CLMT STATED HE EVEN S/W ER ABOUT WHAT ELSE HE COULD DO AT WORK.CLMT STATED HE IS SURPRISED NO ONE ATWORK IS CONTACTING HIM.CLMT STATED HE WAS A GOOD PRODUCER AND HIS SUPERVISOR HASNT EVEN CALLED.NO ONE IS CALLING/SENDING A CARD OR FLOWERS-NOTHING.I STATED SOMETIMES THAT HAPPENS IN CORPORATE AMERICA.CLMT STATED HE HOPES IT DOESNT HAPPEN TO ME IF I GET SICK.CLMT STATED DR.SANDERS WILL COMPLETE REQ BUT IS CHARGING CLMT.CLMT STATED THAT IS FINE AND HE IS JUST ANOTHER PICKING OUT OF HIS POCKET.CLMT STATED HE SAW PCP AGAIN THIS PAST MONDAY-DR.PETRUNCIO.I ASKED FOR PH# AND I WILL REQ INFO.CLMT PROVIDED PH# 856-875-7700 AND FAX# 856-262-0428.CLMT STATED IF I KNEW HE WAS OOW LAST YEAR?I STATED I CAN LOOK THAT INFO UP IN OUR SYSTEM.I CONFIRMED I SEE CLMT FILED A CLM IN 12/03 FOR BEING OOW 11/04 BUT DCM DID NOT RCV MED INFO AND CLM WAS CLOSED.CLMT STATED THAT IS CORRECT AND HE FELT HE COULD WORK THRU IT AND WENT BACK TO WORK.CLMT STATED HE IS PAID COMMISSION WHICH DECLINED B/C HIS PRODUCTION WAS NOT THERE.CLMT JUST WANTED ME TO BE AWARE THAT HE TRIED.I EXPLND AGAIN THAT IF MED INFO IS NOT RCVD BY 11/19 THEN WILL HAVE TO CLOSE.CLMT ASKED WHAT HAS TO BE DONE TO REOPEN B/C HE IS NOT ABLE TO RTW.I EXPLND ONCE INFO IS RCVD THEN CAN REOPEN AND REVIEW.CLMT APPRECIATED MY HELP AND UNDERSTANDS THAT INFO IS NEEDED.

**11/17/2004 10:45 AM - PHONE Note 18**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [11/17/2004 - BORNER, JANICE]10:41-S/W WIFE-WAS TOLD CLMT JUST LEFT FOR APPT FOR 11:00.I EXPLND I AM FAXING A REQ TO DR.SANDERS FOR ADDTL INFO AND OUR NCM STILL HAS NOT RCV'D A RESPONSE FROM DR.MORLEY.I STATED THIS INFO IS NEEDED BY 11/19 OR CLM WILL BE CLOSED.SHE WILL CONTACT CLMT ON CELL PH AND RELAY MESSAGE.I STATED THAT'S WHAT I WAS HOPING SHE WOULD BE ABLE TO DO SO CLMT CAN F/U W/DRS.

**11/17/2004 10:38 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14565711

Service Date: 11/17/2004

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: ACTION PLAN DESCRIPTION

**Liberty/Conrad 63**

Text: DCM WILL GIVE CLMT DEADLINE TO OBTAIN INFORMATION. NCM WILL FU WITH DCM WITHIN A WEEK.

**11/17/2004 10:38 AM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14565711

Service Date: 11/17/2004

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: INFORMATION OBTAINED DESC

Text: DCM APPROACHED NCM DESK TO INQUIRE OF STATUS OF FILE. DR. MORELY HAS NOT RESPONDED TO NCM QUESTIONS TO DAY.

**11/17/2004 10:33 AM - PHONE Note 17.**

Claim/Leave: 1248676

NoteSubject : Called AP

Other Subject : SANDERS

Text: [11/17/2004 - BORNER, JANICE]10:31-CALLED DR.SANDERS AT 856-424-6312-S/W DR.SANDERS-EXPLND WE ARE HANDLING STD CLM AND WILL NEED TO REQ MED INFO.ASKED FOR FAX#.DR.SANDERS PROVIDED FAX# 856-424-7833.I ASKED IF HE WOULD BE THE DR DETERMINING RTW?DR STATED HE DOES NOT HAVE SIGNED AUTH BUT ONCE HE DOES THEN WE CAN DISCUSS CLMT AND RTW STATUS.

**11/17/2004 10:30 AM - PHONE Note 16**

Claim/Leave: 1248676

NoteSubject : ER Called

Other Subject :

Text: [11/17/2004 - BORNER, JANICE]10:12-TERESA HARDY CALLED-WANTED TO CHECK STATUS.I STATED I WILL BE F/U W/NCM AND IF MED INFO IS NOT RCVD THEN WILL BE CLOSING CLM BEYOND 10/31.I STATED I WILL PROVIDE UPDATE BY END OF THE WK.TERESA UNDERSTOOD.

**11/11/2004 4:34 PM - PHONE Note 15**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [11/11/2004 - BORNER, JANICE]3:51-C/C-WANTED TO GIVE ME AN UPDATE.CLMT STATED HE SAW PSYCHOLOGIST DR.SANDERS FOR FOV 11/9 AND NOV 11/17.CLMT ALSO SEES PCP ON 11/15.CLMT IS STILL FATIGUED AND TIRED.CLMT WILL SEE PSYCHOLOGIST WKLY.CLMT STATED THEY ARETHINKING EITHER CHRONIC FATIGUE OR DEPRESSION/ANXIETY.CLMT STATED HE DOESNT WANT TO THINK HE IS DEPRESSED.CLMT WILL CALL NEXT WK W/AN UPDATE.

**11/10/2004 3:28 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14562962

Service Date: 11/10/2004

Activity: LETTERS, PREPARE LETTERS

Contact Information: PROVIDER, DR THOMAS, MORLEY DO

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL FU ON LETTER.

**11/10/2004 3:28 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14562962

Service Date: 11/10/2004

Activity: LETTERS, PREPARE LETTERS

Contact Information: PROVIDER, DR THOMAS, MORLEY DO

Note Type: INFORMATION OBTAINED DESC

Text: NCM PREPARED AND FAXED LETTER TO DR. MORLEY.

**11/05/2004 1:03 PM - PHONE Note 14**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 11/4

Text: [11/05/2004 - BORNER, JANICE]3:33-C/C-WANTED TO GIVE ME AN UPDATE.CLMT HAS AN APPOINTMENT

**Liberty/Conrad 64**

W/A PSYCHOLOGIST-DR.GEORGE SANDERS-FOV 11/9 PH# 856-424-6312.CLMT GOT AUTH THRU MAGELLAN.CLMT ALSO SAW PCP ON 11/1 AND WAS TESTED FOR LYMES AND THYROID.CLMT STATED THEY ALSO DISCUSSED POSSIBLE CHRONIC FATIGUE AND DEPRESSION.NOV 11/8.CLMT STATED HE IS SURPRISED HIS COWORKERS ARENT CALLING TO SEE HOW HE IS DOING.I STATED SOMETIMES THAT HAPPENS WHEN SOMEONE IS OOW FOR QUITE AWHILE-OUT OF SIGHT OUT OF MIND.CLMT STATED THAT IS WHAT ONE OF THEM SAID-SINCE HE HAS BEEN OOW FOR SO LONG.I STATED OUR NCM IS REVIEWING INFO AND ASKED CLMT TO CALL NEXT WK AFTER HE HAS SEEN BOTH PCP AND PSYCHOLOGIST AND PROVIDE UPDATE.CLMT UNDERSTOOD.

11/05/2004 12:55 PM - MDS Note

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14561422

Service Date: 11/05/2004

Activity: PHONE CONTACT, PHYSICIAN

Contact Information: PROVIDER, DR THOMAS, MORLEY DO

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL FU WITH LETTER IF NO RESPONSE.

11/05/2004 12:55 PM - MDS Note

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14561422

Service Date: 11/05/2004

Activity: PHONE CONTACT, PHYSICIAN

Contact Information: PROVIDER, DR THOMAS, MORLEY DO

Note Type: INFORMATION OBTAINED DESC

Text: NCM LEFT MESSAGE FOR DR. MORELY.

11/01/2004 10:48 AM - PHONE Note 13

Claim/Leave: 1248676

Note Subject : EE Called

Other Subject :

Text: [11/01/2004 - BORNER, JANICE]10:16-C/C-WANTED TO GIVE ME AN UPDATE.CLMT STATED HE HAD THE ENCEPHALAGEAL TEST ON 10/26 THAT WAS SATISFACTORY.CLMT SAW DR.MORELY ON 10/28 AND HE EVALUATED THE RECENT SLEEP TEST RESULTS AND DECIDED TO ADJUST THE CPAP MACHINE TO 9 AND NOV IS IN 6MTHS,CLMT WILL BE SEEING DR.PETRENZIO-PCP 856-875-7700 TODAY.CLMT DOESNT KNOW ABOUT RTW B/C GETS TIRED BY 11AM-12PM AND CANT PERFORM HIS JOB.CLMT STATED HE IS STILL TIRED/FATIGUED EVENTHOUGH HE IS DIETING AND EXERCISING.CLMT STATED HE MAYBE REFERRED TO A PSYCHOLOGIST.I STATED IT SEEMS LIKE THAT WOULD BE LOGICAL AND AM SURPRISED THEY DID NOT REFER CLMT PREVIOUSLY.CLMT STATED PCP DID SUGGEST IT A FEW MONTHS AGO BUT CLMT DIDNT THINK HE WAS/IS DEPRESSED.I ASKED CLMT IF THEREIS A HISTORY OF DEPRESSION OR IF HE HAS BEEN TREATED FOR IT BEFORE?CLMT STATED NO AND IS RELUCTANT TO ACCEPT THAT HE IS DEPRESSED.CLMT STATED HE IS BREAKING OUT INTO SWEATS/STILL HAS SHORT TERM MEMORY PROBLEMS.CLMT CONTINUED TO COMPLAIN ABOUT HIS BENEFITS B/C SINCE HE WAS OOW LAST YEAR FROM BEING SICK AND IN THE HOSP HE WAS NOT ABLE TO MAKE ALL OF HIS \$ THAT HE NORMALLY WOULDVE MADE BEING ON COMMISSION AND NOW HIS PAY THIS YEAR IS NOT AS MUCH AND HE IS ALSO HAVING TO PAY OTHER THINGS AND \$ IS BARELY COVERING HIS BILLS.I STATED I UNDERSTAND CLMT IS FRUSTRATED BUT DOESNT KNOW RTW AND EXPLND WE DO NOT HAVE ANYTHING TO DO W/HIS PAY AND SUGGESTED HE CONTACT ER W/ANY CONCERNs.I EXPLND NCM IS CURRENTLY REVIEWING INFO ON FILE AND WILL BE CONTACTINGDRS OFFICES.CLMT UNDERSTOOD.

11/01/2004 10:41 AM - MDS Note

Claim/Leave: 1248676

Episode #: 2

Nurse Name: REINER, PATRICI

Service #: 14559801

Service Date: 11/01/2004

Activity: INPERSON CONTCT, CLAIMS

Contact Information: CLAIMS, JANICE, BORNER

Note Type: ACTION PLAN DESCRIPTION

Text: NCM WILL CONTINUE WITH MD CONTACT ATTEMPTS.

11/01/2004 10:41 AM - MDS Note

Claim/Leave: 1248676

Episode #: 2

Liberty/Conrad 65

Nurse Name: REINER, PATRICI  
Service #: 14559801  
Service Date: 11/01/2004  
Activity: INPERSON CONTCT, CLAIMS  
Contact Information: CLAIMS, JANICE, BORNER  
Note Type: INFORMATION OBTAINED DESC  
Text: NCM DISCUSSED FILE WITH DCM. CLMT INDICATES HE HAD RECENT TESTING AND WILL SEE PSYCHOLOGIST. HE REPORTS CONTINUED FATIGUE ESPECIALLY AFTER 11AM.

10/27/2004 4:07 PM - MDS Note  
Claim/Leave: 1248676  
Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14557936  
Service Date: 10/27/2004  
Activity: PHONE CONTACT, PHYSICIAN  
Contact Information: PROVIDER, DR THOMAS, MORLEY DO  
Note Type: ACTION PLAN DESCRIPTION  
Text: NCM WILL FU WITH PROVIDER.

10/27/2004 4:07 PM - MDS Note  
Claim/Leave: 1248676  
Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14557936  
Service Date: 10/27/2004  
Activity: PHONE CONTACT, PHYSICIAN  
Contact Information: PROVIDER, DR THOMAS, MORLEY DO  
Note Type: INFORMATION OBTAINED DESC  
Text: NCM LEFT MESSAGE FOR DR. MORLEY TO CALL.

10/27/2004 4:06 PM - MDS Note  
Claim/Leave: 1248676  
Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14557934  
Service Date: 10/27/2004  
Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
Contact Information: NO CONTACT, ,  
Note Type: ACTION PLAN DESCRIPTION  
Text: NCM WILL PROCEED WITH MD CONTACT.

10/27/2004 4:06 PM - MDS Note  
Claim/Leave: 1248676  
Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14557934  
Service Date: 10/27/2004  
Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
Contact Information: NO CONTACT, ,  
Note Type: ASSESSMENT DESCRIPTION  
Text: MEDICAL INFORMATION DOES NOT HAVE DIAGNOSTIC TESTING TO CONFIRM A CHANGE IN CLMT'S COGNITIVE FUNCTION. FILE ALSO LACKS OBSERVATIONS OF CLMT BEHAVIOR CONSISTENT WITH SEVERE FATIGUE OR COGNITIVE DYSFUNCTION. IT IS REASONABLE FOR CLMT TO HAVE IMPROVED FUNCTION WITH TITRATION OF CPAP; HOWEVER THIS DOES NOT APPEAR CERTAIN. NCM CONTACT WITH PROVIDER TO CLARIFY CAUSE(S) OF FATIGUE, BEHAVIORAL OBSERVATIONS, DEGREE CLMT'S DEPRESSION ACCOUNTS FOR FATIGUE, AND ONGOING TREATMENT MIGHT BE REASONABLE.

10/27/2004 4:06 PM - MDS Note  
Claim/Leave: 1248676  
Episode #: 2  
Nurse Name: REINER, PATRICI  
Service #: 14557934  
Service Date: 10/27/2004  
Activity: NURSE REVIEW, MEDICAL RECORDS REVIEW  
Contact Information: NO CONTACT, ,  
Note Type: INFORMATION OBTAINED DESC  
Text: NCM REVIEWED PRIOR MDS DOCUMENTATION, RESTRICTIONS FORM FROM DR. MORLEY DATED

Liberty/Conrad 66

10/14/04 AND OFFICE NOTES FROM DR. MORLEY [PCP] DATED 9/16/04 AND DR. DREZNER [OTOLARYNGOLOGY] DATED 9/23. DR. MORLEY INDICATED CLMT HAS DECREASED MEMORY AND COGNITION. CLMT WAS REFERRED FOR A PSYCH EVAL PER DR. MORLEY. CLMT CONTINUES TO REPORT FATIGUE DESPITE INCREASE OF CPAP TO 13 CM H2O. DRS. DREZNER AND MORLEY INDICATE CLMT'S FATIGUE MIGHT HAVE ANOTHER COMPONENT; HOWEVER THEY ARE NOT SURE. CBC AND THYROID STUDIES FROM 3/2/04 WERE NORMAL.

**10/21/2004 3:38 PM - CLAIM Note 15**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : MGR REVIEW

Text: [10/21/2004 - HARMON, MARGRET]AGREE WITH REFERRAL TO MDS FOR FULL CASE MANAGEMENT. PREVIOUSLY SEEN BY PAT REINER.

**10/20/2004 2:21 PM - PHONE Note 12**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [10/20/2004 - BORNER, JANICE]2:19-LM FOR CLMT-EXPLND HAVE RCV'D MED INFO AND EXTENDED CLM THRU 10/31.I STATED I UNDERSTAND CLMT HAS TESTING ON 10/26.ASKED CLMT TO CALL AFTER THAT W/AN UPDATE OF WHAT IS GOING ON AT THAT POINT.I EXPLND I WILL BE OOW WED-FRI BUT CLMT COULD LVM AND I WILL GET MESSAGE WHEN I RTW 11/1.PLEASE CALL IF ANY ?'S PRIOR.

**10/20/2004 2:19 PM - CLAIM Note 14**

Claim/Leave: 1248676

NoteSubject : Ref to Managed Care

Other Subject : LA/POSS FCM

Text: [10/20/2004 - BORNER, JANICE]REFER CLM FOR LA W/POSSIBLE FCM-CLMT/DR CONTACT,CLMT CONTINUES TO TREAT FOR SLEEP APNEA,CLMT HAS COMORBID OF 330+LBS,CLMT WAS ALSO REFERRED TO CARDIOLOGIST,CLMT IS SCHEDULED FOR TEE ON 10/26.[10/20/2004 - BORNER, JANICE]CLM PREVIOUSLY REVIEWED BY P.REINER.

**10/20/2004 2:17 PM - CLAIM Note 13**

Claim/Leave: 1248676

NoteSubject : Extended Benefits

Other Subject :

Text: [10/20/2004 - BORNER, JANICE]CLM EXTENDED THRU 10/31,CLM TO BE REFERRED TO MDS FOR LA/POSS FCM-CLMT/DR CONTACT,CLMT IS SCHEDULED FOR TEE ON 10/26.

**10/13/2004 2:18 PM - PHONE Note 11**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [10/13/2004 - BORNER, JANICE]2:07-C/C-STAETD HE WAS JUST CALLING TO GIVE AN UPDATE,CLMT SAW A CARDIOLOGIST AND THEY HAVE ORDERED A TEE TEST TO BE DONE ON 10/26 WHERE THEY WILL HAVE A SCOPE GO DOWN CLMT'S THROAT TO CHECK IF HE HAS A HOLE IN THE HEART OR NOT,I STATED I STILL HAVE NOT RCV'D MED INFO FROM THE OTHER DRS,CLMT STATED HE DOESN'T KNOW THAT DR.DREZNER WILL SEND ANYTHING B/C CLMT ONLY SAW HIM 1X AND IF CLMT NEEDS SURGERY THEN HE WILL BE THE DR TO DO IT,CLMT STATED DR.MORLEY IS ONLY IN THE OFFICE ON THURSDAYS SO I SHOULD GET INFO ON FRIDAY,I EXPLND I CANNOT EXTEND CLM UNTIL MED INFO IS RCV'D,CLMT STATED HE UNDERSTOOD AND DIDN'T CARE B/C HE CAN'T WORK ANYWAYS,I STATED IF NOT RCV'D THEN I WOULD HAVE TO CLOSE CLM,CLMT STATED HE DIDN'T CARE B/C ONCE RCV'D THEN WE WOULD REOPEN CLM AND PAY HIM RETROACTIVELY-RIGHT? I STATED ONLY IF MED INFO CONTINUED TO SUPPORT DISABILITY,CLMT UNDERSTOOD AND ISN'T WORRIED ABOUT B/C CAN'T WORK RIGHT NOW.

**10/11/2004 3:18 PM - PHONE Note 10**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [10/11/2004 - BORNER, JANICE]3:02-C/C-WANTED TO GIVE AN UPDATE,I STATED THAT WAS FINE SINCE I HAVEN'T RCV'D ANY MED INFO FROM EITHER DR.MORLEY OR DR.DREZNER,CLMT STATED DR.MORLEY IS ONLY IN ON THURS AND CLMT WAS TOLD HE WOULD PROBABLY COMPLETE THE REQ ON FRIDAY AND FAX IT THEN,I STATED I HAVE NOT RCV'D IT YET AND JUST SENT 2ND REQ,CLMT STATED THEY WERE ABLE TO DO HIS SLEEP STUDY TEST LAST NIGHT BUT PROBABLY WON'T HAVE RESULTS FOR ABOUT 2WKS BY THE TIME SOMEONE EVALUATES IT,CLMT STATED RESULTS WILL BE SENT TO DR.DREZNER TO DETERMINE IF SURGERY IS NEEDED,I STATED I JUST PAID \$ TO DR.DREZNER'S OFFICE FOR MED REC FOR 9/04,ASKED CLMT TO F/U W/BOTH DRS OFFICES TO HAVE INFO PROVIDED,CLMT UNDERSTOOD.

**10/07/2004 4:02 PM - CLAIM Note 12**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : VNDR PYMNT

Text: [10/07/2004 - BORNER, JANICE]PAID \$23.20 TO DR.DREZNER'S OFFICE FOR MED REC FROM 9/1-10/4.

**10/06/2004 10:16 AM - PHONE Note 9**

Claim/Leave: 1248676

NoteSubject : Called AP

Other Subject : DREZNER

Text: [10/06/2004 - BORNER, JANICE]ASKED FOR TAX ID# TO PAY BILL RCVD FOR MED REC.WAS PROVIDED TAX ID# 222170196.

**10/05/2004 8:55 AM - PHONE Note 8**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject : 10/4

Text: [10/05/2004 - BORNER, JANICE]10:06-C/C-WANTED TO GIVE AN UPDATE B/C NEEDS STD EXTENDED.CLMNT NEEDS TO HAVE ANOTHER SLEEP STUDY TEST DONE TO DETERMINE IF HE NEEDS A UVELECTOMY.CLMNT STATED DR.MORLEY WANTS A SPLIT NIGHT STUDY BUT ITS NOT SCHEDULED YET.CLMNT DOESNT FEEL HE HAS MADE MUCH PROGRESS/IMPROVEMENT W/THE CPAP MACHINE.CLMNT CONFIRMED HE ALSO TREATED W/DR.DREZNER-ENT ON 9/23-PH# 856-342-3275/FAX# 856-968-8468.CLMT ALSO SAW A CARDIOLOGIST 2WKS AGO FOR A STRESS TEST THAT WAS NORMAL.CLMT WAS PUT ON A WATER PILL AND AN APPETITE SUPPRESSANT AS WELL.I EXPLND I WILL REQ ADDTL MED INFO FROM BOTH DR.MORLEY AND DR.DREZNER.I ASKED CLMT TO F/U W/DRS OFFICES TO CONFIRM INFO WILL BE PROVIDED.I EXPLND I WILL REQ ALL OV NOTES/TEST RESULTS FOR SEPT.CLMT UNDERSTOOD.

**09/23/2004 1:25 PM - PHONE Note 7**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [09/23/2004 - BORNER, JANICE]1:17-R/C-LM FOR CLMT-EXPLND I AM NEW CM AND WILL BE HANDLING CLM AND A.JOHNSON FORWARDED MESSAGE THAT CLMT CALLED.ASKED FOR R/C-PROVIDED MY NAME/EXT.

**09/16/2004 4:30 PM - CLAIM Note 11**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : REASSIGNED

Text: [09/16/2004 - YOST, WILLIAM]CLAIM REASSIGNED TO JANICE BORNER.

**09/13/2004 2:17 PM - PHONE Note 6**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [09/13/2004 - JOHNSON, AUDREY]CLMT PHONED TO UPDATE ME ON HIS APPTS. HE THANKED ME FOR LEAVING THE MESSAGE REGARDING THE APPROVAL ON LAST WEEK. PER CLMT, HE WILL BE SEEING DR. MORLEY ON 9/16 FOR A CONSULT REGARDING SURGERY. DR. MORLEY IS THE PULMONOLOGIST. HE WILL BE SEEING DR. DRESDEN, ENT ON 9/23. CLMT REPORTS HE S/W DR. PETRUNIO WHO RECOMMENDED HE HAVE THE SURGERY; HOWEVER, CLMT COMMENTED, DR. PETRUNIO DOES NOT SPECIALIZE IN SLEEP APNEA, THUS BEING THE REASON HE WANTED TO S/W DR. MORLEY FIRST. CLMT STS HE WILL RTC WITH UPDATE AFTER APPT. CLMT ASKED IF HE COULD EMAIL ME THE STATUS? INFORMED CLMT IF HE COULD CALL ME, THAT WOULD BE BETTER. THANKED CLMT FOR CALLING.

**09/10/2004 1:42 PM - CLAIM Note 10**

Claim/Leave: 1248676

NoteSubject : LTR to ER

Other Subject : TAWANNA COLEMAN

Text: [09/10/2004 - JOHNSON, AUDREY]EMAILLED APPROVAL NOTIFICATION TO TAWANNA COLEMAN

**09/10/2004 1:41 PM - LOG Note 1**

Claim/Leave: 1248676

NoteSubject : 01/31/2004

Other Subject : 01/31/2005

Text: [09/10/2004 - JOHNSON, AUDREY] \*

**09/10/2004 1:38 PM - PHONE Note 5**

Claim/Leave: 1248676

NoteSubject : Called EE

**Liberty/Conrad 68**

## Other Subject :

Text: [09/10/2004 - JOHNSON, AUDREY] LEFT VM MSG FOR CLMT AT HOME REGARDING APPROVAL OF CLM FROM 8/3 - 10/3. ADVISED TO CONTINUE UPDATING ME ON CX AND APPTS. IF QUESTIONS, RTC.

**09/10/2004 1:31 PM - CLAIM Note 9**

Claim/Leave: 1248676

NoteSubject : Action Plan

## Other Subject :

Text: [09/10/2004 - JOHNSON, AUDREY] DCM WILL F/U WITH CLMT TOWARDS THE END OF THE MONTH TO DETERMINE IF SECOND OPINION TAKEN AND/OR SURGERY REQUIRED.

**09/10/2004 1:30 PM - CLAIM Note 8**

Claim/Leave: 1248676

NoteSubject : Approved

## Other Subject :

Text: [09/10/2004 - JOHNSON, AUDREY] APPROVED CLM FROM 8/3/04 THROUGH 10/3/04 DUE TO SEVERE SLEEP APNEA, WITH CO-MORBIDS OF DEPRESSION, OBESITY AND FATIGUE.

**09/10/2004 12:44 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 1

Nurse Name: REINER, PATRICI

Service #: 14538323

Service Date: 09/10/2004

Activity: NURSE REVIEW, FILE REVIEW

Contact Information: NO CONTACT,,

Note Type: ACTION PLAN DESCRIPTION

Text: NCM DISCUSSED FILE WITH DCM. NCM WILL REMOVE FROM ASSIGNMENT.

**09/10/2004 12:44 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 1

Nurse Name: REINER, PATRICI

Service #: 14538323

Service Date: 09/10/2004

Activity: NURSE REVIEW, FILE REVIEW

Contact Information: NO CONTACT,,

Note Type: ASSESSMENT DESCRIPTION

Text: MEDICAL EVIDENCE IN THE FILE SUPPORTS CLMT'S IMPAIRMENT FROM ACTIVITIES REQUIRING SUSTAINED CONCENTRATION. CLMT HAS SIGNIFICANT SLEEP APNEA, WHICH APPEARS RECALCITRANT TO TRADITIONAL CPAP THERAPY. CLMT'S CO-MORBID OF DEPRESSION MIGHT FURTHER CONTRIBUTE TO HIS FATIGUE. IF CLMT FAILS TO RESPOND TO TITRATION OF CPAP OR POSSIBLY ADDITION OF BIPAP, A REPEAT POLYSOMNOGRAM MIGHT BE REASONABLE. LENGTH OF RESTRICTIONS IS DIFFICULT TO DETERMINE, AS THIS DEPENDS UPON CLMT'S RECOVERY. THE TREATMENT PLAN IS REASONABLE. IF CLMT FAILS TO PROGRESS TOWARD RECOVERY BY 10/1/04, NCM CONTACT WITH PROVIDER MIGHT BE APPROPRIATE TO CLARIFY TREATMENT OPTIONS AND ONGOING R/LS.

**09/10/2004 12:44 PM - MDS Note**

Claim/Leave: 1248676

Episode #: 1

Nurse Name: REINER, PATRICI

Service #: 14538323

Service Date: 09/10/2004

Activity: NURSE REVIEW, FILE REVIEW

Contact Information: NO CONTACT,,

Note Type: INFORMATION OBTAINED DESC

Text: NCM REVIEWED OFFICE NOTES FROM DR. MORLEY [SLEEP MED] DATED 3/4/04-7/22/04 AND POLYSOMNOGRAMS FROM 3/17/04 AND 4/7/04 WITH LATTER INCLUDING CPAP TITRATION. CLMT HAD RESPIRATORY DISTURBANCE INDEX OF 38.5 [SEVERELY ELEVATED] ON 4/30/04. CLMT INITIATED CPAP IN 4/04. ON 7/22/04, CLMT INDICATED HE HAD PERSISTENT HYPERSOMNOLENCE DESPITE INCREASED CPAP TO 11 IN 4/04. HE ALSO REPORTED DECREASED COMPLIANCE WITH CPAP SECONDARY TO FRUSTRATION WITH LACK OF IMPROVEMENT IN SYMPTOMS. CURRENT MEDICATIONS: PROVIGIL, ALLOPURINOL, VERAPAMIL, ZOLOFT, AND FLONASE. CO-MORBIDS: MORBID OBESITY, HYPERTENSION, GOUT AND DEPRESSION. TREATMENT PLAN: CPAP, MEDICATIONS, WEIGHT LOSS, AND MD FOLLOW UP. R/LS ARE NOT IN FILE.

**09/10/2004 10:00 AM - CLAIM Note 7**

Claim/Leave: 1248676

NoteSubject : Other

**Liberty/Conrad 69**

Other Subject : REF TO MDS  
Text: [09/10/2004 - JOHNSON, AUDREY]FILE REFERRED TO MDS AT THE SUGGESTION OF MGR, WILL YOST.

**09/09/2004 3:53 PM - PHONE Note 4**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [09/09/2004 - JOHNSON, AUDREY]CALL PLACED TO CLMT TO GIVE UPDATE ON CLM STATUS. INFORMED CLMT HIS CLM HAS BEEN REFERRED TO NCM FOR REVIEW. UPON COMPLETION OF THE REVIEW, I WILL RTC TO HIM REGARDING DETERMINATION. CLMT REPORTS HE IS NOT DOING ANY BETTER ON THE CP MACHINE. HE IS THINKING HE MAY NEED THE SURGERY. HE IS CONTEMPLATING A SECOND OPINION. ASKED CLMT IF HE HAD ANY APPTS RECENTLY? HE STATED NOT SINCE JULY. ASKED CLMT TO CALL ME IF HE SETS UP AN APPT. FOR A SECOND OPINION.

**09/09/2004 3:46 PM - CLAIM Note 6**

Claim/Leave: 1248676

NoteSubject : Ref to Managed Care

Other Subject : LIMITED ASSIGNMENT

Text: [09/09/2004 - JOHNSON, AUDREY]CM REFERRING FILE TO MDS FOR LIMITED ASSIGNMENT. CLM WAS CLOSED DUE TO LACK OF MEDICAL INFORMATION RECEIVED. INFORMATION WAS OBTAINED ON 8/30. DOD IS 8/3/04 WITH DX OF SLEEP APNEA. MEDICAL INFORMATION IN FILE DATES FROM 3/17/04 THROUGH 7/22/04. CLMT HAS A H/O SLEEP APNEA SYNDROME, OBESITY, HTN AND DEPRESSION. ACCORDING TO OVN DATED 7/22/04, CLMT WAS ADVISED TO GO ON DISABILITY TO UNTIL SX'S WERE BETTER CONTROL. CM WOULD LIKE TO KNOW IF MEDICAL INFORMATION IN FILE SUPPORTS CLMT BEING UNABLE TO PERFORM JOB AS A BROKER. ESTIMATED RETURN TO WORK IS UNKNOWN. PHYSICIAN AND CLMT CONTACT WELCOMED.

**09/02/2004 5:17 PM - PHONE Note 3**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [09/02/2004 - WHALEY, JULIE]WANTED TO VERIFY IF WE RECEIVED MEDICAL. I INFORMED HIM THAT WE HAD AND WE WILL BE FOLLOWING UP AFTER REVIEW NEXT WEEK. HE THANKED ME.

**08/27/2004 9:01 AM - CLAIM Note 5**

Claim/Leave: 1248676

NoteSubject : Other

Other Subject : MED REC RCVD

Text: [08/27/2004 - BORNER, JANICE]MED INFO RCVD FROM DR.MORLEY'S OFFICE.

**08/13/2004 11:50 AM - CLAIM Note 4**

Claim/Leave: 1248676

NoteSubject : Closed

Other Subject :

Text: [08/13/2004 - JOHNSON, AUDREY]TEMP. CLOSED CLM DUE TO LACK OF MEDICAL RECEIVED.

**08/10/2004 1:49 PM - PHONE Note 2**

Claim/Leave: 1248676

NoteSubject : EE Called

Other Subject :

Text: [08/10/2004 - JOHNSON, AUDREY]CLMT RTC TO CM. CLMT REPORTED HE IS OUT DUE TO SLEEP APNEA. SHE REPORTS THIS HAS BEEN AN ONGOING PROBLEM SINCE APRIL. HE DESCRIBES SX'S AS FATIGUE AND FALLING ASLEEP DURING MEETING AND WHILE DRIVING. HE ALSO REPORTS HAVING MEMORY LOSS. HE STATED HE HAS BEEN SCORED AS HAVING 40 EPISODES AN HOUR. HIS DR, DR. MORLEY, A PULMONOLOGIST IS TRYING ALTERNATIVE TX'S BEFORE SURGERY. CLMT REPORTS HE WAS TOLD SURGERY WLD BE LESS EFFECTIVE. IT WAS SUGGESTED HE LOSE WEIGHT AND EXERCISE. ASKED CLMT HOW MUCH DID HE WEIGH AND HIS HEIGHT? HE STATED HE WEIGHS 320 LBS AND IS 5'10. HE IS CURRENTLY USING A CPAP MACHINE. HE STARTED CPAP MACHINE IN MARCH/APRIL BUT IT WAS NOT WORKING. AS HIS SX'S BECAME WORSE, DR. MORELY SUGGESTED HE TAKE TIME OFF WORK TO GET THIS CPAP MACHINE WORKING PROPERLY. ASKED CLMT HOW LONG DID DR. MORELY ANTICIPATE HIM BEING OUT? CLMT REPORTS 8 - 12 WKS TO CONCENTRATE ON GETTING THIS MACHINE WORKING. CLMT REPORTS RTW SOMETIME IN OCTOBER. HE ALSO STATES HE WLD LIKE TO RTW SOONER, MAYBE WITHIN 2 MONTHS. ASKED CLMT WHAT OTHER COMORBIDS DID HE HAVE? HE STATED HE HAS A H/O OF HIGH BLD PRESSURE. HIS MEDS INCLUDE: PROVIGIL TO HELP HIM STAY AWAKE, VERAPERMIL 120 MG, ALLOPURINOL 100 MG FOR THE GOUT, ZOLOFT 50 MG AND NASONEX. HE ALSO PUTS CREAM UNDER HIS FOOT AT NIGHT. ASKED CLMT HOW OFTEN WAS HE TREATING WITH DR. MORELY? HE HAS SEEN HIM TWICE. LOV WAS 7/22. HE HAD A SLEEP TEST DONE IN MARCH. HE ALSO HAS A PCP, DR. GEORGE PETRUNICO 856-875-7700 WHO KNOWS ABOUT HIS CONDITION. EXPLAINED TO CLMT I HAVE ALREADY REQUESTED A MEDICAL UPDATE FROM DR. MORELY'S OFFICE. ASKED CLMT TO F/U WITH THE DR TO ENSURE WE ARE ABLE TO RECEIVE THIS MEDICAL BY THURSDAY. CLMT STATED

**Liberty/Conrad 70**

HE IS ANXIOUS TO GET THIS PROCESS MOVING AND WILL CALL DR'S OFFICE.

**08/09/2004 2:38 PM - CLAIM Note 3**

Claim/Leave: 1248676

NoteSubject : LTR to AP

Other Subject : DR. MORLEY

Text: [08/09/2004 - JOHNSON, AUDREY]FAXED A REQUEST TO DR. MORLEY 856-256-1266 FOR MEDICAL INFORMATION. RSVP BY 8/12.

**08/09/2004 2:37 PM - PHONE Note 1**

Claim/Leave: 1248676

NoteSubject : Called EE

Other Subject :

Text: [08/09/2004 - JOHNSON, AUDREY]LEFT VM MSG FOR CLMT INFORMING I AM DCM ON CLM. REQUESTED A RTC TO DISCUSS.

**08/03/2004 1:39 PM - CLAIM Note 1**

Claim/Leave: 1248676

NoteSubject : Telephonic Intake

Other Subject : REPORTED CLAIM NOTE

Text: RECOVERY TIME IS UNK. OSTERUD 08-02-2004 TCC.

**08/03/2004 1:39 PM - CLAIM Note 2**

Claim/Leave: 1248676

NoteSubject : Telephonic Intake

Other Subject : MEDICAL CONDITION

Text: CHRONIC SLEEP APNEA.

**Liberty/Conrad 71**